

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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JESSICA JONES, MICHELLE VELOTTA,  
and CHRISTINA LORENZEN on Behalf  
of Themselves and All Others Similarly  
Situated.,

Plaintiffs,

v.

Varsity Brands, LLC; Varsity  
Spirit, LLC; Varsity Spirit  
Fashion & Supplies, LLC; U.S. All  
Star Federation, Inc.; Jeff Webb;  
Charlesbank Capital Partners  
LLC; and Bain Capital Private  
Equity,

Defendants.

No. 2:20-cv-02892-SHL-tmp

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**ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION TO DROP PARTY**

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Before the Court is Plaintiffs' Unopposed Motion to Drop Party Under Fed. R. Civ. P. 21, (ECF No. 246), filed April 5, 2022. Plaintiffs seek to drop Plaintiff Michelle Velotta from the litigation without prejudice, with each party bearing its own attorneys' fees and costs.

In support, Plaintiffs state that Plaintiff Michelle Velotta "has ceased participating in discovery, and has ceased returning phone calls and email communications from her counsel for the purpose of counseling her, preparing her for her deposition, and otherwise enabling her to perform the role of a class representative as required by Fed. R. Civ. P. 23." (ECF No. 246-1.) They state that the remaining Plaintiffs in the matter will continue to act as class representatives, and there will be no resulting prejudice or material difference in the litigation if the Motion is granted. Additionally, Plaintiffs assure the Court that "Ms. Velotta will be

able to participate in whatever recovery may result – if any – as an absent class member.”

(Id.) According to Plaintiffs, Defendants do not oppose this Motion, and the Parties will bear their own costs and fees with respect to Ms. Velotta’s dismissal as a putative class representative.

Under Federal Rule of Civil Procedure 21, a Court may drop a party to a lawsuit without dismissing the entire controversy. Fed. R. Civ. P. 21 (“ . . . On motion or on its own, the court may at any time, on just terms, add or drop a party.”). Here, understanding the circumstances of Ms. Velotta’s non-participation and without objection from Defendants, the Court **GRANTS** the Motion. Michelle Velotta will no longer be a named Plaintiff in this litigation. The Court **INSTRUCTS** the Clerk of Court to remove Ms. Velotta from the docket.

**IT IS SO ORDERED**, this 6th day of April, 2022.

s/ Sheryl H. Lipman

SHERYL H. LIPMAN

UNITED STATES DISTRICT JUDGE